

***** PUBLIC DOCKET *****

**U.S. District Court
Southern District of Indiana (Terre Haute)
CIVIL DOCKET FOR CASE #: 2:19-cv-00480-JPH-MJD**

STINE v. WATSON et al
Assigned to: Judge James Patrick Hanlon
Referred to: Magistrate Judge Mark J. Dinsmore
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 10/08/2019
Jury Demand: Plaintiff
Nature of Suit: 555 Prisoner Petitions -
Prison Condition
Jurisdiction: Federal Question

Plaintiff

MIKEAL GLENN STINE

represented by **MIKEAL GLENN STINE**
55436-098
TERRE HAUTE - USP
TERRE HAUTE U.S.
PENITENTIARY
Inmate Mail/Parcels
P.O. BOX 33
TERRE HAUTE, IN 47808
PRO SE

V.

Defendant

T. WATSON
Mr., Warden

represented by **Jeffrey D. Preston**
UNITED STATES ATTORNEY'S
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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED**Defendant****MICHAEL UNDERWOOD***Mr., Associate Warden*represented by **Jeffrey D. Preston**

(See above for address)

ATTORNEY TO BE NOTICED**Shelese M. Woods**

(See above for address)

ATTORNEY TO BE NOTICED**Defendant****TIMOTHY TAYLOR***Mr., Captain*represented by **Jeffrey D. Preston**

(See above for address)

ATTORNEY TO BE NOTICED**Shelese M. Woods**

(See above for address)

ATTORNEY TO BE NOTICED**Defendant****GORE***Mr., Lieutenant SIS*represented by **Jeffrey D. Preston**

(See above for address)

ATTORNEY TO BE NOTICED**Shelese M. Woods**

(See above for address)

ATTORNEY TO BE NOTICED**Defendant****RUGGERI***Mr., Unit Manager*represented by **Jeffrey D. Preston**

(See above for address)

ATTORNEY TO BE NOTICED**Shelese M. Woods**

(See above for address)

ATTORNEY TO BE NOTICED**Defendant****BRAD SHOEMAKER***Mr., Case Management Coordinator*represented by **Jeffrey D. Preston**

(See above for address)

ATTORNEY TO BE NOTICED**Shelese M. Woods**

(See above for address)

ATTORNEY TO BE NOTICED**Interested Party**

UNITED STATES OF AMERICA


represented by **Jeffrey D. Preston**



(See above for address)



*ATTORNEY TO BE NOTICED***Shelese M. Woods**

(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/08/2019	<u>1</u>	COMPLAINT against GORE, RUGGERI, BRAD SHOEMAKER, TIMOTHY TAYLOR, MICHAEL UNDERWOOD, T. WATSON, filed by MIKEAL GLENN STINE. (No fee paid with this filing) (Attachments: # <u>1</u> Exhibit 1 Incident Report, # <u>2</u> Envelope)(DJH) (Entered: 10/08/2019)
10/08/2019	<u>2</u>	MOTION for Leave to Proceed in forma pauperis, filed by Plaintiff MIKEAL GLENN STINE. (Attachments: # <u>1</u> Envelope)(DJH) (Entered: 10/08/2019)
10/08/2019	<u>3</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (DJH) (Entered: 10/08/2019)
10/09/2019	<u>4</u>	NOTICE OF DEFICIENCY - Your civil rights complaint has been received. You shall have through November 7, 2019, in which to correct the deficiencies as follows: Your motion to proceed <i>in forma pauperis</i> cannot be ruled on because you have not submitted a copy of the transaction history associated with your institution trust account for the 6-month period preceding the filing of this action. (Copy sent to plaintiff via US Mail). (JRT) (Entered: 10/09/2019)
10/18/2019	<u>5</u>	NOTICE to Pro se Litigant - The following information is provided to pro se litigants to inform them about rules and procedures governing how they communicate with the Court. (Copy sent to plaintiff via US Mail). (JRT) (Entered: 10/18/2019)
10/22/2019	<u>6</u>	CONSENT to Jurisdiction to US Magistrate Judge by MIKEAL GLENN STINE. (Attachments: # <u>1</u> Envelope)(TMC) (Entered: 10/22/2019)
11/05/2019	 <u>7</u>	Verified Emergency Motion for Temporary Restraining Order and MOTION for Preliminary Injunction Pursuant to Rule 65 Fed.R.Civ.P. with request for expedited consideration due to imminent danger, filed by Plaintiff MIKEAL GLENN STINE. (Attachments: # <u>1</u> Envelope)(RSF) (Entered: 11/05/2019)
11/27/2019	<u>8</u>	Entry on In Forma Pauperis Status - The plaintiff shall have through December 26, 2019, to comply with the Court's previous order or explain why doing so is not possible. The failure to do so by this date will result in the dismissal of this action without further warning. Copy to plaintiff via US Mail. Signed by Judge James Patrick Hanlon on 11/27/2019.(RSF) (Entered: 11/27/2019)

12/13/2019	 9	MOTION for Hearing Regarding Access to Court, filed by Plaintiff MIKEAL GLENN STINE. (Attachments: # 1 Envelope)(TMC) (Entered: 12/16/2019)
12/16/2019	10	RESPONSE and Compliance re 8 Entry on In Forma Pauperis Status, filed by Plaintiff MIKEAL GLENN STINE. (Attachments: # 1 Envelope)(TMC) (Entered: 12/17/2019)
12/16/2019	 11	MOTION for Temporary Restraining Order and Preliminary Injunction, filed by Plaintiff MIKEAL GLENN STINE. (Attachments: # 1 Envelope)(TMC) (Entered: 12/17/2019)
01/22/2020	12	ORDER GRANTING MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS, SCREENING COMPLAINT, AND DIRECTING FURTHER PROCEEDINGS - Mr. Stines motion for leave to proceed in forma pauperis, dkt. 2 , is GRANTED. His 42 U.S.C. § 1985 claims are DISMISSED. His Eighth Amendment failure to protect claims SHALL PROCEED against the defendants in their individual and official capacities. The defendants SHALL RESPOND to Mr. Stines motions for temporary restraining order and preliminary injunction, dkt. 7 ; dkt. 11 , when they file an answer. If Mr. Stine believes that additional claims were alleged in the complaint, but not identified by the Court, he shall have 21 days from the entry of this Order to identify those claims. The clerk is directed to issue process to (1) Warden T. Watson, (2) Associate Warden Michael Underwood, (3) Captain Timothy Taylor, (4) Lieutenant Gore, (5) Mr. Shoemaker, and (6) Mr. Ruggeri. Fed. R. Civ. P. 4(c). The Marshal for this District or his Deputy shall serve the summons. The clerk is further directed to provide a courtesy copy of this Order, the complaint (dkt. 1), and the motions for temporary restraining order and preliminary injunction (dkt. 7 ; dkt. 11) to the United States Attorneys Office for the Southern District of Indiana and to counsel at the United States Penitentiary Terre Haute. Copies distributed pursuant to distribution list. Signed by Judge James Patrick Hanlon on 1/22/2020. (KAA) (Entered: 01/23/2020)
01/23/2020	13	Summons Issued as to GORE, RUGGERI, BRAD SHOEMAKER, TIMOTHY TAYLOR, MICHAEL UNDERWOOD, T. WATSON. (Attachments: # 1 USM 285 Form Gore, # 2 USM 285 Form Ruggeri, # 3 USM 285 Form Shoemaker, # 4 USM 285 Form Taylor, # 5 USM 285 Form Underwood, # 6 USM 285 Form Watson)(KAA) (Additional attachment(s) added on 1/23/2020: # 7 USM 285 Form USAG, # 8 USM 285 Form US Atty) (KAA). (Entered: 01/23/2020)
01/23/2020	14	Documents for service by USM - re 11 MOTION for Temporary Restraining Order, 7 MOTION for Preliminary Injunction, 13 Summons Issued, 12 Order on Motion for Leave to Proceed in forma pauperis, 1 Complaint. Electronic notice to USM-C.(KAA) (Entered: 01/23/2020)
01/23/2020	15	AMENDED Documents for service by USM - re 11 MOTION for Temporary Restraining Order, 7 MOTION for Preliminary Injunction, 13 Summons Issued, 12 Order on Motion for Leave to Proceed in forma

		pauperis, 1 Complaint. Electronic notice to USM-C.(KAA) (Entered: 01/23/2020)
02/04/2020	16	RETURN of USM Service GORE, RUGGERI, BRAD SHOEMAKER, TIMOTHY TAYLOR, MICHAEL UNDERWOOD, and T. WATSON all served on 2/3/2020. USMS note: BOP legal accepted service. (RSF) (Entered: 02/04/2020)
03/31/2020	17	NOTICE of Appearance by Jeffrey D. Preston on behalf of Interested Party UNITED STATES OF AMERICA. (Preston, Jeffrey) (Entered: 03/31/2020)
03/31/2020	18	NOTICE of Appearance by Shelese M. Woods on behalf of Interested Party UNITED STATES OF AMERICA. (Woods, Shelese) (Entered: 03/31/2020)
03/31/2020	19	MOTION for Extension of Time to 60 days , filed by Interested Party UNITED STATES OF AMERICA. (Attachments: # 1 Text of Proposed Order)(Woods, Shelese) (Entered: 03/31/2020)
04/03/2020	20	ORDER granting 19 Motion for Extension of Time to File an Answer to Complaint to 6/2/20. Copy sent to Plaintiff via US Mail. Signed by Magistrate Judge Mark J. Dinsmore on 4/3/2020. (JRB) (Entered: 04/03/2020)
04/07/2020	 21	MOTION <i>for Reconsideration of Ruling on Plaintiff's Motion for Leave to Proceed In Forma Pauperis</i> , filed by Interested Party UNITED STATES OF AMERICA. (Attachments: # 1 Exhibit 1, Stine Inmate Quarters History) (Woods, Shelese) Modified on 4/8/2020 to correct title (KAA). (Entered: 04/07/2020)
04/21/2020	22	RESPONSE in Opposition re 21 MOTION <i>for Reconsideration</i> , filed by Plaintiff MIKEAL GLENN STINE. (Attachments: # 1 Exhibit 1, # 2 Exhibit A, # 3 Exhibit B)(AAS) (Additional attachment(s) added on 4/21/2020: # 4 Envelope) (AAS). (Entered: 04/21/2020)
04/21/2020	 23	MOTION for Court Order, filed by Plaintiff MIKEAL GLENN STINE. (Attachments: # 1 Envelope)(AAS) (Entered: 04/21/2020)
04/28/2020	24	REPLY in Support of Motion re 21 MOTION <i>for Reconsideration</i> , filed by Interested Party UNITED STATES OF AMERICA. (Woods, Shelese) (Entered: 04/28/2020)
05/28/2020	25	NOTICE of Appearance by Jeffrey D. Preston on behalf of Defendants GORE, RUGGERI, BRAD SHOEMAKER, TIMOTHY TAYLOR, MICHAEL UNDERWOOD, T. WATSON. (Preston, Jeffrey) (Entered: 05/28/2020)
05/28/2020	26	NOTICE of Appearance by Shelese M. Woods on behalf of Defendants GORE, RUGGERI, BRAD SHOEMAKER, TIMOTHY TAYLOR, MICHAEL UNDERWOOD, T. WATSON. (Woods, Shelese) (Entered: 05/28/2020)
05/28/2020	27	MOTION for Extension of Time to July 2, 2020 in which to 1 Complaint , filed by Defendants GORE, RUGGERI, BRAD SHOEMAKER, TIMOTHY

		TAYLOR, MICHAEL UNDERWOOD, T. WATSON. (Attachments: # 1 Text of Proposed Order)(Woods, Shelese) (Entered: 05/28/2020)
06/12/2020	28	ORDER granting 27 Motion for Extension of Time to File a Response to the Complaint until Further Order. SEE ORDER. Copy sent to Plaintiff via US Mail. Signed by Magistrate Judge Mark J. Dinsmore on 6/12/2020. (JRB) (Entered: 06/15/2020)

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